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## COMMUNICATION

### CHILD-LABOR LEGISLATION.<sup>1</sup>

The report on child labor prepared for the National Conference of Charities and Corrections is intended to give a bird's-eye view of the general situation and to establish a basis of facts upon which all the speakers can agree, and thus be free to discuss the principles involved and the remedies for the evils, instead of having to waste time in elementary statements of conditions.

The following are the features of the report, by states:

**ALABAMA.**—Act passed February 25, 1903, takes effect sixty days after, prohibiting employment of children under twelve in factories; no children under thirteen to work at night; parents to furnish certificates of age of all children employed. This is the outcome of the long fight of the committee on child labor in Alabama, of which Edgar Gardner Murphy was chairman.

**ARKANSAS** has also passed an act similar to that of Alabama.

**CALIFORNIA.**—The legislature defeated a bill to fix the limit of employing children at fourteen years. This bill, originated in the ultra-radical branch of the Central Labor Council of the state, was violently opposed by the fruit growers. The basis of their opposition was primarily the general labor situation on the Pacific Coast. Last year thousands of tons of good fruit rotted on the ground owing to labor difficulties, and the proposed law would have prevented the employment of children in the canning and drying establishments during August and September, when the fruit is ready for handling. It is probable that the only child-labor law which would be acceptable to the people of California would be one which permits some discrimination as to occupation and conditions of employment.

**COLORADO** has no factory inspector. The commissioner of labor recommends that the legislature make provision for the inspection of factories. The statutes forbid the employment of children under fourteen years, but make no adequate provision for the enforcement of the law.

**CONNECTICUT** (age limit fourteen) now requires that persons employing a child under sixteen years must obtain and keep on file a certificate of its birth.

**DELAWARE** reports, through the secretary of state, that the question of child labor is not very serious. It has, however, been agitated somewhat in connection with Wilmington factories and a bill was introduced in the recent legislature to regulate it, but nothing came of it.

**FLORIDA** reports, through the secretary of state, that the child-labor evil does not exist to any great extent and there are no statutes governing it.

**GEORGIA** has been wrestling with the question for some time. The last

<sup>1</sup> This paper is a synopsis of a report prepared by the committee on child labor appointed by the National Conference of Charities and Corrections, to report to the meeting to be held May 6 to 13, in Atlanta. The chairman of the committee is Mr. Hugh F. Fox. This synopsis was made by Mrs. Emily E. Williamson.

legislature defeated bills which were introduced to limit the age of employment, but there is to be an extra session of the legislature in June when the question will come up again.

ILLINOIS.—The chief factory inspector is working earnestly and energetically to get legislation to require birth and school certificates for children under sixteen years. He is acting in co-operation with the educational authorities and has enlisted the support of the women's clubs and various child-caring societies and settlements.

INDIANA.—The inspector reports that thirteen suits were brought against manufacturers in the glass business for flagrant violations of the law relative to employing children under fourteen. "Outside the glass works, little trouble is encountered, now that we have department stores living up to the requirements of the law."

IOWA has a bureau of labor statistics. The governor is the commissioner, and the department employs an assistant commissioner and a deputy, who are supposed to undertake factory inspection, as well as perform the usual duties of the bureau of labor statistics. The total appropriation for the whole buerau is \$3,000.00!

KANSAS is in the same predicament as Iowa only that the total appropriation of \$6,520.00. The commissioner calls the attention of the legislature to the necessity of enacting a law regulating the employment of child labor.

KENTUCKY passed a child-labor law last year, which went into effect in June, 1902, prohibiting the employment of children under fourteen in factories. The commissioner of labor appoints inspectors, who must be men having practical knowledge of factories. Violations of the law are to be reported to the county attorney. The peculiarities of this act are that, with the consent of the parents and the county judge, the law may be disregarded in any particular instance. The grand jury has inquisitorial powers to investigate violations, but the bureau of labor and its inspectors have no power to subpoena and swear witnesses. It is also provided that newspapers and printing offices are exempted! No report will be made until 1904.

LOUISIANA established a bureau of statistics of labor in September, 1900. The commissioner at once sought the advice of Carroll D. Wright, the United States Commissioner of Labor, corresponded with other commissioners of labor throughout the country, and attended the conference of the association of officials of bureaus of labor statistics. His report for 1901 contains the labor laws of Louisiana and includes the laws of various other states for comparison, in order to show that Louisiana's law which created his bureau is inadequate. Among the curiosities of child-labor legislation is the Louisiana provision that in cities it is the duty of the chief of police to enforce the regulations; in towns the mayor shall perform the duties of factory inspector. No boys under twelve or girls under fourteen may be employed in factories.

MAINE requires birth certificate for children under sixteen; age limit twelve, but no child under fifteen may be employed during school term unless he has attended school sixteen weeks the previous year.

MARYLAND passed a law which went into effect July, 1902, giving the

bureau of industrial statistics the right to appoint two deputies for the inspection of factories, etc. The constitutionality of this law is now being contested before the court of appeals. In April, 1902, an act was passed forbidding the employment of children under fourteen in factories, but canneries were exempted! It also provided that the act should not apply to nineteen counties.

MASSACHUSETTS maintains its high standard of efficiency. Enforcement of the laws regulating the employment of women and children is entrusted to the "district police," the third department of which was organized for that purpose.

MICHIGAN has a joint bureau of labor and inspection of factories. The Michigan statutes which define the duties of the commissioner of labor are a curiosity. He is required, in addition to performing the duties which usually pertain to his office, to present statistical details as to "the culture, moral and mental, of laborers employed"; "the sanitary condition of institutions where labor is employed, as well as the influence of the several kinds of labor and the use of intoxicating liquors upon the health and mental conditions of the laborer"; "the proportion of married laborers and mechanics who live in rented houses, with the average annual rental of the same," and "the average number in each laborer's family." In order to perform these various duties it is provided that he may call upon the state, county, city, village and township officers to furnish information on blank forms which he supplies. He may call upon the prosecuting attorney to prosecute any violations of the law. One of his deputies must be a woman. Age limit fourteen; birth certificate required. Inspectors may also demand a certificate of physical fitness for any child under sixteen from the county physician, who shall make such examination free of charge. The inspectors may prohibit the employment of children under sixteen who seem physically unable to perform the labor at which they may be employed, and no child under sixteen may be employed "where its morals would be depraved." The bureau was created in 1897, but the provisions as to factory inspection were only enacted in 1901.

MINNESOTA also has a joint bureau of labor and factory inspection, and the commissioner complains that the laws relating to education, truancy and child labor are conflicting, that the majority of parents and employers are indifferent or averse to the enforcement of the labor laws, and the courts of justice lax in their trial and disposition of cases brought to their attention. In spite of all this he maintains that the cause of child labor lies in economic conditions and that it is absolutely necessary for each member of the laborer's household to contribute his share for the support of the family! He concludes, "In short, existing economic conditions have begotten a demand for child labor, and the subject being at hand there is no fear they can successfully stop the old time-worn law of supply and demand from taking its course." This is the only absolute confession of failure to be found in the reports of inspectors of factories.

MISSOURI is also interesting, from the negative point of view. The law prohibits the employment of children under fourteen and makes it the duty of each city to appoint its own factory inspector. These inspectors may per-

form "such duties as may be prescribed by ordinance and shall make semi-annual reports to the state labor commissioner, and shall cause any violations of the provisions of the act to be brought to the attention of the grand juries of their respective counties."

NEW HAMPSHIRE has no factory inspector and regulates employment entirely by enforcement of the educational laws. The state truant officer has the right to enter factories, etc., and seems to be able to control the situation pretty thoroughly.

NEW JERSEY has just raised the age limit to fourteen and has empowered the governor to remove the factory inspector for cause. The inspection of factories had gotten into politics and complaints were numerous of the inefficiency of the department. The governor found that he could not remove the chief inspector without the consent of the legislature, which of course, involved an indictment and trial. He recommended the amendments to the law in his annual message. The principal trouble has been in the glass factories of South Jersey. Each glassblower is required to furnish a helper, and boys were in great demand. Some complaint has also been made as to the employment of children in the silk mills, but a new deputy has been appointed and is now enforcing the law.

NEW YORK.—Governor Odell in his annual message recommended that the law be amended so as to make effective the statutes regarding the employment of children. A strong child-labor committee has been at work in New York and has introduced bills to license shoe-blacks, messengers and news-boys and to regulate their employment. All of their bills have been adopted, though some amendments were made in the nature of a compromise. However, a great step forward has been taken.

NORTH CAROLINA.—The report of the commissioner of labor is unique. He sent letters to farmers, factories, employers, mill men, mechanics, editors and labor leaders asking their opinion of compulsory education and child labor. Two hundred and twenty-two pages of his report are given up to replies from various individuals, which are printed in small type. The correspondence was an effort of the commissioner to work up public sentiment, and resulted in the passage of a mild child-labor law fixing the limit at 12 years.

NORTH DAKOTA has a commissioner of agriculture and labor. He has no assistant and his total appropriation for two years is only \$800.00.

OHIO has a department of inspection of workshops and factories, which is also charged with the inspection of public buildings, hotels, churches, theatres, schools and bowling alleys, to see that they are in sanitary condition and that precautions against fire are adopted! The age limit is fourteen years, with the proviso that no child under sixteen may be employed "whereby its life or limb is endangered or its morals depraved from such employment." The age limit until last year was fifteen for boys and sixteen for girls. The chief inspector in his 1901 report protests that this is too high; that it is an injustice to the manufacturers of Ohio; that the law cannot be enforced, and that such a high legal age has a tendency to increase vagrancy and dissolute habits, as many children had to be taken out of school at fourteen for pecuniary reasons, having passed through graded schools, and had

nothing to do but loiter about the cities. The amendment of the law, which reduces the age to fourteen, was apparently due to his recommendation. At the present time the department works in close co-operation with the educational authorities and is accomplishing excellent results.

OREGON has just passed a very good child-labor law at the recommendation of the governor. Age limit fourteen; certificate of birth required.

PENNSYLVANIA.—Startling developments as to employment of children in coal districts were brought out by the anthracite coal strike commission and have resulted in the introduction of laws raising the age limit to fourteen for boys in the breakers and sixteen for entering the mines. The factory inspectors made a poor showing before the commission and there is no doubt that the entire department will be overhauled.

RHODE ISLAND reports satisfactory progress. The inspectors co-operate closely with school authorities.

SOUTH CAROLINA.—Governor McSweeney sent a strong message to the legislature on the evils of child labor and after a sharp contest a law was passed prohibiting the employment of children under ten for 1903, under eleven for 1904 and under twelve for 1905. No children under twelve must work after 8 p. m. If, however, a disabled father or widow swears that he or she is unable to support his or her children and is dependent upon their labor for support the children may work. This is a provision which is found in a number of states, the theory being apparently that it is cheaper for the state to endanger the life of the child than to provide adequate relief for its parent.

SOUTH DAKOTA reports that children under fourteen cannot be employed for more than ten hours per day.

TENNESSEE passed a law in 1901 prohibiting the employment of children under fourteen and all children must have a statement from their parents of their age. The grand jury is given inquisitorial powers to investigate violations of the act. No report is ready yet.

TEXAS has also passed a child-labor law, which went into effect March 19, 1903. Details will be given later.

UTAH.—Secretary of state reports that child-labor evil does not exist.

VIRGINIA.—The senate passed a child-labor law and the house of delegates passed another. Either would be better than nothing and both were better than the mild laws recently passed in the Carolinas. So far neither house will give way and it looks as if the result would be nil. There is practically no opposition to the twelve-year limit. The fight is for the fourteen-year limit, with certain exceptions.

VERMONT has no bureau of labor or factory inspector.

WASHINGTON has a bureau of statistics, agriculture and emigration. The legislatures of 1897 and 1899 made no appropriations. The report for 1901 has nothing of value in connection with child labor.

WEST VIRGINIA has a bureau of labor and a live man at the head of it. Governor Atkinson sent a strong message to the legislature on child labor two years ago. He recommended that the age limit be raised to fourteen, but a bill for this purpose was killed in committee.

WISCONSIN has a bureau of labor statistics which does efficient factory inspection. The commissioner urges that the bureau should have a lawyer on its staff, as the legal work is increasing and he cannot depend upon county attorneys. He indorses the suggestion of the women's clubs that one of his inspectors should be a woman, and this was provided for by the legislature in 1901. He also makes another suggestion which is absolutely novel. "It is quite likely that there are persons in this state who would serve as factory inspectors without pay. Now if this really is the case, much assistance might be had by simply authorizing the governor to appoint honorary factory inspectors." He declares that the work of his bureau has been hampered by an insufficient office force and the hostility of manufacturers.

WYOMING does not suffer from the child-labor evil, but the secretary of state reports "Our statutes provide that the occupation or employment of children under fourteen is unlawful, **nor are children of that age allowed to be employed in coal mines.**"